

*Quamina v. Crampsie*, 21 Civ. 1878 (PGG) (BCM)

## **DEFS.' EXHIBIT C**

**Defs.' Letter re: Motion to Dismiss under FRCP 12(b)(6)**



Jason Lotkowitz &lt;jason.lotkowitz@gmail.com&gt;

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**Anaika Quamina - Wages and Related Payments**

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lauren crampsie &lt;lcrampsie@gmail.com&gt;

Tue, Feb 9, 2021 at 12:17 PM

To: PassionFusionBK@gmail.com

Cc: jason lotkowitz &lt;jason.lotkowitz@gmail.com&gt;, lauren crampsie &lt;lcrampsie@gmail.com&gt;

Anaika,

We hope that your family and you are well.

Your attorney, Douglas Lipsky, indicated that we can reach out to you directly, so that is what we are doing.

In his email dated January 27, 2021 (copy enclosed), Mr. Lipsky stated that your alleged unpaid wages equal "OT + Liquidated Damages + Interest + 195.1 and 195.3 Penalties: \$37,800." Although we believe that your total unpaid overtime wages and other damages are less than that, in good faith we are going by your attorney's calculation.

Accordingly, we are sending you the enclosed eCheck written out to "Anaika Quamina" for \$41,480. This amount equals the \$37,800 your attorney calculated plus an additional \$3,680. This additional amount is equal to two weeks' worth of wages at your regular hourly wage rate of \$23 multiplied by two. More specifically, 80 hours multiplied by your regular hourly rate of \$23 = \$1,840, multiplied by 2 = \$3,680.

This payment of \$41,480 constitutes full payment for any unpaid wages and other damages arising out of any claims you may have against us under the Fair Labor Standards Act, the Families First Coronavirus Response Act, the Wage Theft Prevention Act, and the New York Labor Law.

We will not pay anything to you for your attorney's allegation of late payments of your wages. As you know, any delay in your payment was because you were late in giving us your hours for the week. In any event, we do not believe that the alleged late payments present a viable or legitimate claim against us.

On your attorney's allegation that we terminated you because you got COVID-19, we are surprised, shocked, and disappointed that you would make such a baseless and hurtful claim. We welcomed you into our family and treated you well, paying you \$23 per hour, paying for your car service, giving you generous amounts of sick and holiday days, giving you guidance on marketing your catering business, giving you free clothes, allowing you to stay at our place whenever you needed to, and always treating you with respect and kindness. We don't know why you abandoned us during a very stressful period when our family needed you, but we did not terminate you in any manner and had no reason to terminate you. After working with us for two years, why would you take a late response to a text message as a termination? You knew that we were still working full time, my aunt was dying in the hospital, and the kids were out of school. We needed you, and you left us. That was your choice.

We are sorry that you ended our relationship without speaking to us and without saying goodbye to the kids. Nonetheless, we wish you good health and good luck with your catering business.

**Defs.' Ex. C at P000001**

Sincerely,

Lauren and Jason

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**2 attachments**



**eCheck.pdf**

91K



**Quamina-Lotkowictz - 2021, 01.27 - Email from Lipsky.pdf**

177K